



02/27/06

AF  
NT

## PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
(Case No. 01-1081)**

**In re Application of:**

Graf et al.

Serial No.: 09/937,103

Filed: July 5, 2002

## For: Use of Trehalose For Stabilizing A Liquid Vaccine

## **NOTICE OF APPEAL**

Mail Stop AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Applicants hereby appeal to the Board of Appeals from the decision of the examiner's rejection of claims 9, 10, and 16 rejected in the Final Office Action dated January 30, 2006.

The item(s) checked below are appropriate:

1.  An extension of time to respond to the final rejection was granted on \_\_\_\_\_ for \_\_\_\_\_ month(s).
2.  A petition to extend time to respond to the final rejection, with the appropriate fee, accompanies this notice.
  - a.  the fee is calculated from the date of mailing of an advisory action, because an amendment after the final rejection was filed within two months of the final rejection, which set a three month shortened statutory period for response, and the advisory action was mailed more than three months after the final rejection.
  - b.  the fee is calculated from the end of the period set for response.

**CERTIFICATE OF MAILING (37 C.F.R. 1.8a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee," addressed to Mail Stop: AF, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on February 24, 2006. Express Mail No. EV 839382608 US.

Date: February 24, 2006

Michael S. Greenfield

02/28/2005 MAHMEEDI 00000024 09337103  
01 FC:1401 500.00 OP

3.  Appeal Fee \$500.00.

Enclosed

Not required (Fee paid in prior appeal)

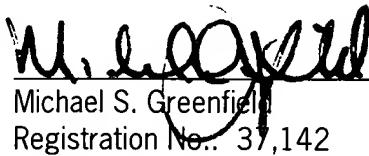
Charge to Deposit Account No. 13-2490

4. The Commissioner is hereby authorized to charge any additional fee which may be required, or credit any overpayment to Account No. 13-2490.

Respectfully submitted,

Date: February 24, 2006

Telephone: 312-913-0001  
Facsimile: 312-913-0002

  
\_\_\_\_\_  
Michael S. Greenfield

Registration No. 37,142

McDonnell Boehnen Hulbert & Berghoff LLP  
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